



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS**

In re: **Westborough SPE LLC**  
Debtor

Chapter 7  
23-40709-CJP

**ORDER**

**MATTER:**

#1079 Motion filed by Creditor Lolonyon Akouete for Reconsideration of Order Denying Administrative Expense Claim Re: 1058 Order dated 1/5/2026 (Re: 1023 Motion filed by Creditor Lolonyon Akouete for Allowance and Payment of Administrative Expense Claim).

THE "MOTION FOR RECONSIDERATION OF ORDER DENYING ADMINISTRATIVE EXPENSE CLAIM (Dkt. No. 1058)" [ECF NO. 1079] (THE "MOTION") IS DENIED. WHILE MOVANT IS CORRECT THAT THE COURT SHOULD HAVE STATED THAT "AKOUETE MADE NO EFFORT TO SEEK APPROVAL FROM THE TRUSTEE AND THE COURT," AND THE COURT CLARIFIES ITS ORDER ENTERED AT ECF NO. 1058 (THE "ORDER") IN THAT RESPECT, THE COURT'S DENIAL OF THE MOVANT'S REQUEST FOR AN ADMINISTRATIVE CLAIM AND THE REMAINDER OF THE ORDER REMAIN UNCHANGED. THE COURT'S RULING WAS BASED ON THE FACT THAT AKOUETE MADE A UNILATERAL DECISION TO INCUR AN EXPENSE TO SUPPORT A LITIGATION POSITION OR STRATEGY. THE MOVANT APPARENTLY MADE THAT DECISION TO INCUR AN EXPENSE WITHOUT AUTHORIZATION FROM THE COURT OR THE TRUSTEE BECAUSE OF, AMONG OTHER THINGS, HIS BELIEF THAT A "THIRD APPRAISAL WOULD NOT ADVANCE THE ESTATE'S INTERESTS" AND A LACK OF RESPONSE BY THE TRUSTEE TO HIS PROPOSAL THAT THE TRUSTEE "ADOPT MARKET TESTING" USING COSTAR. *SEE* MOTION, 2. A MAJORITY OF COURTS THAT HAVE DECIDED THE ISSUE HAVE DETERMINED THAT A PARTY IN INTEREST MAY NOT SEEK PAYMENT OF AN ADMINISTRATIVE EXPENSE FOR SUBSTANTIAL CONTRIBUTION. EVEN IF THIS COURT WERE TO DECIDE THAT SUCH RELIEF IS AVAILABLE, THE COURT REITERATES ITS CONCLUSION IN THE ORDER THAT THE FACTS AND CIRCUMSTANCES OF THIS CASE WOULD NOT SUPPORT ALLOWANCE.

Dated: 01/14/2026

By the Court,

A handwritten signature in black ink, appearing to read "Christopher J. Panos", is written over a horizontal line.

Christopher J. Panos  
United States Bankruptcy Judge